United Nations S/PV.7640

Security Council

Seventy-first year

Provisional

7640th meeting
Wednesday, 2 March 2016, 11.40 a.m.
New York

President:	Mr. Gaspar Martins	(Angola)
Members:	China	Mr. Zhao Yong
	Egypt	Mr. Aboulatta
	France	Mr. Delattre
	Japan	Mr. Okamura
	Malaysia	Mr. Ibrahim
	New Zealand	Mr. Taula
	Russian Federation	Mr. Churkin
	Senegal	Mr. Ciss
	Spain	Mr. Gasso Matoses
	Ukraine	Mr. Vitrenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Ms. Sison
	Uruguay	Mr. Rosselli
	Venezuela (Bolivarian Republic of)	Mr. Ramirez Carreño

Agenda

The situation in Libya

Report of the Secretary-General on the United Nations Support Mission in Libya (S/2016/182)

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The meeting was called to order at 11.40 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

Report of the Secretary-General on the United Nations Support Mission in Libya (S/2016/182)

The President: In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Martin Kobler, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

At this meeting, the Security Council will hear briefings by Mr. Martin Kobler, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, and Ambassador Ramlan Bin Ibrahim, Permanent Representative of Malaysia, in his capacity as the Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya.

I now give the floor to Mr. Kobler.

Mr. Kobler: First of all, let me congratulate Angola on taking up the presidency of the Security Council for the month of March.

The members of the Council have before them the latest report of the Secretary-General (S/2016/182) on the activities of the United Nations Support Mission in Libya (UNSMIL), which details the work of the Mission over the past six months.

The process towards a democratic transition has continued to achieve a number of milestones, but at the same time remains very precarious. Two weeks ago, on 17 February, Libya marked the fifth anniversary of the 2011 revolution. However, five years on, the current political and military vacuum is allowing terrorist groups and criminal networks to establish deep roots. It must be said in all clarity that Libya today has no effective State institutions.

It is with a very heavy heart that I begin my briefing noting that the humanitarian situation in Libya has deteriorated further, against the background of poor funding for the humanitarian response plan. Libya is a country of 6 million people, with significant resources, but across the country 2.4 million people are in need of some form of humanitarian assistance. More than 40 per cent of the health-care facilities in Libya are not functioning. Over 1 million children under the age of five are at risk of being affected by a vaccine shortage. Some 1.3 million people are food insecure. It is now imperative that Libyan political actors take responsibility, in the higher interest of the Libyan people, to stop the human suffering.

The overwhelming majority of the Libyan people are in favour of the Libyan Political Agreement. The overwhelming majority support the formation of a Government of National Accord that would effectively address the existing threats. The overwhelming majority want and deserve peace now. Some of those who are politically responsible on both sides, however, still refuse to listen to the voices of the Libyan people and pursue their own narrow political interests.

In my most recent briefing to the Security Council (see S/PV.7577), I promised to broaden the basis of support for the Libyan Political Agreement. My colleagues, myself and the international community have persistently reached out to those who are opposing the Libyan Political Agreement. However, until now we have been unable to convince them to go the way of peace and unity.

On 15 January, the Presidency Council presented a Cabinet for approval by the House of Representatives. The House voted to endorse the Libyan Political Agreement in principle, which was good news, but it requested the Presidency Council to nominate a new and smaller Cabinet. After days of tireless deliberations, on 14 February the Presidency Council finalized a new list of candidates for a streamlined Cabinet. A few days ago, on 22 February, the House of Representatives met to consider the Presidency Council's second Cabinet. However, its session was interrupted by a minority of parliamentarians who opposed the vote and resorted to threats and intimidation, preventing the majority from freely expressing its vote. Nonetheless, this majority gathered 100 signatures in support of the endorsement of the new Cabinet and its programme.

I am convinced that a positive vote could have taken place on 22 February had the leadership of the House of Representatives shown the resolve and determination to put the Government of National Accord to a vote. I have therefore written to the Speaker of the House of Representatives to register the will of the democratic majority and formalize its endorsement of the Government of National Accord. Failing such recognition and a positive endorsement by the House of Representatives by early next week, Libyans have to go on. I intend to reconvene the Libyan Political Dialogue to explore the way forward in line with the Libyan Political Agreement.

Libya cannot be held hostage by minorities in the House of Representatives and the General National Congress. In both those forums, there are clear majorities who are in favour of moving ahead quickly with the establishment of a Government of National Accord. The country needs to move ahead now or risk division and collapse. I therefore intend to proceed along the following lines.

First, together with the Libyans and the international community, we will continue to advocate for the implementation of the Libyan Political Agreement. This is the plan; there are no alternatives. The Government of National Accord, as proposed by the Presidency Council, must be allowed to take up its duties in Tripoli as soon as possible. Those who are threatening the Presidency Council and actively preventing it from assuming power in Tripoli should be held accountable on the basis of Security Council resolutions. Branches of the Government, however, should be established in eastern Libya, where Benghazi requires particular attention, and in the South.

I thank Prime Minister Fayez Serraj for his perseverance and steadfastness in recent weeks. I encourage all members of the Presidency Council to stand together in unity. I call on the country's political leadership to support and stay the course outlined in the Libyan Political Agreement, and I welcome the preparatory meetings of the State Council. I look forward to the convening of the first official meeting of the State Council in Tripoli as soon as possible.

Secondly, given the security situation and the expansion of Da'esh, it is imperative to unify and reform Libyan security forces. I urge the Presidency Council and the Government of National Accord to immediately establish a mechanism to achieve that goal. The international community and UNSMIL stand ready to assist.

Thirdly, support for the Libyan Political Agreement has to be broadened. This will require a parallel, complementary and bottom-up approach. The support of civil society, youth, and women organizations has to be further deepened. Tribal dignitaries and municipalities have a crucial role to play. I intend to work with the relevant authorities responsible for national reconciliation in the new Government of National Accord to arrange for regional forums of tribal leaders and mayors to accompany the process of nation-building. This may later result in a nation-wide Grand Shura.

Fourthly, in parallel, the Constitution Drafting Assembly should present the draft constitution on time for a referendum. To this end, I am grateful that the Government of Oman has offered to host a retreat. I urge all members of the Constitution Drafting Assembly, including the boycotters, to seize this opportunity and resolve the outstanding problems.

Both in eastern and western Libya, there are those who are committed to doing everything in their power to undermine the political process, as well as the formation of a Government of National Accord and its instalment in the capital. These actors must be told in no uncertain terms that enough is enough. It is high time that they stand by the interests of the Libyan people and not against them.

With respect to security questions, while the political process is extremely slow, Da'esh takes advantage of the political and security vacuum and is expanding to the West, East and the South. While Libya's financial resources are dwindling, the criminal networks, including human smuggling, are booming. The conflict in Benghazi has escalated in recent days when forces under the banner of the Libyan national army commenced new offensive operations against the Benghazi Revolutionaries Shura Council and Da'esh. These forces have since gained control of several areas previously held by the Shura Council and succeeded in dislodging Da'esh from a number of key neighbourhoods it previously controlled. Many displaced as a result of the conflict in Benghazi have returned to their old neighbourhoods and reclaimed their homes. However, I am deeply concerned at unconfirmed reports of human rights violations in some areas overtaken by the Libyan national army.

Let us not forget that as a result of the violent conflict, significant parts of Benghazi today lie in ruins. The establishment of a humanitarian ceasefire, the delivery of humanitarian aid and a reconstruction fund for Benghazi must be priorities of the new Government. In southern Libya, the national-level conflict and absence of a functioning security apparatus continues to exacerbate local intercommunal tensions. Intermittent clashes continue in Sabha and Kufra.

The fragmentation of security actors and their preoccupation with consolidating their influence in areas under their control have allowed Da'esh to operate unchecked in many places. The airstrike against Da'esh in Sabrathah on 19 February has been followed by escalating clashes as local security forces and armed groups sought to evict Da'esh from the town. During an assault last week, Da'esh killed 17 people, beheading several of them. Da'esh has also continued to carry out multiple beheadings and atrocities in its stronghold of Sirte. Da'esh in Libya constitutes an urgent and growing threat to Libya, the region and beyond. However, the fight against violent extremism can be sustainable only if it is led by a national unity Government that puts in place and prioritizes a national agenda to address the country's most immediate challenges and works to meet the aspirations and expectations of the Libyan people.

On 13 January, the Presidency Council established a Temporary Security Committee to facilitate the implementation of the security arrangements outlined in the Libyan Political Agreement. UNSMIL is supporting the Committee in its efforts to formulate a viable security plan that will enable the Government of National Accord to establish itself in Tripoli. In western Libya, however, our efforts have been severely impeded by the consistent denials of United Nations overflight and landing permission by the Tripoli-based authorities. Since the beginning of December 2015, practically all our requests to travel to Tripoli and surrounding areas have, with few exceptions, been refused.

With respect to human rights, the Mission continues to document numerous cases in which armed groups across the country have abducted civilians on account of their identity, political affiliations or simply for ransom. Those seized are often at risk of torture and other ill-treatment. I welcome the recent establishment of a committee by the General Prosecution to review the cases of all those detained at the Mitiga airport in Tripoli.

I have continued to strongly advocate increased women's participation in Libyan political life, in particular by calling for a 30-per cent share of ministerial posts in the Government of National Accord. Sadly, my calls have not been heeded.

Libya's neighbours are suffering the direct consequences of the country's instability. I am committed to fully engaging with them in reaching a political solution to the crisis. I would like to thank Tunisia for continuing to host UNSMIL temporarily in its capital, and other countries of the region for playing an important role in building consensus. I am deeply appreciative of the efforts of the African Union, the European Union and the League of Arab States. I congratulate President Kikwete on his appointment as High Representative of the African Union for Libya. I met him a few days ago, on 26 February, and I look forward to our close cooperation. I would like to thank in particular the Council for its close engagement and unanimous support for a political resolution of the problems in Libya.

Finally, I would like to thank the staff of the United Nations Support Mission in Libya for their tireless efforts and dedication in supporting the Libyan political process. Despite the many hurdles, difficulties and frustrations in their daily work, they are highly professional and committed colleagues, and I am very grateful to them.

The President: I thank Mr. Kobler for his briefing.

I now give the floor to Ambassador Ibrahim.

Mr. Ibrahim (Malaysia): In accordance with paragraph 24 (e) of resolution 1970 (2011) of 26 February 2011, I have the honour to report to the Security Council on the work of the Committee established by the same resolution. The report covers the period from 11 December 2015 to 2 March 2016.

On 11 December, the Committee wrote to the Permanent Representative of Libya, bringing to his attention a recommendation, contained in the interim report of the Panel of Experts, regarding the unity of the National Oil Corporation and the neutrality of the Central Bank of Libya.

On 21 December, the Committee responded to a request for guidance from a Member State on the implementation of the arms embargo as it relates to the disposal of seized military materiel.

On 7 January 2016, the Committee issued its fourth Implementation Assistance Notice to assist Member States in their implementation of the travel ban in relation to the Libya sanctions regime. As with the other such notices that relate to the arms embargo and the assets freeze, this notice can be found on the website of the Committee in all official languages.

On 15 January, the Committee informed the Permanent Representative of Libya about a forged document, purporting to come from the Committee established pursuant to resolution 1970 (2011) concerning Libya, and claiming the authorization of the unfreezing of frozen assets owned by the Central Bank of Libya. In this context, it is worth noting that the Central Bank of Libya has not been subject to United Nations sanctions since December 2011.

On 22 January, the Committee received a notification under paragraph 19 (b) of resolution 1970 (2011) in relation to the assets freeze measure, which was subsequently put on hold by a member of the Committee.

On 22 February, the Committee approved a request for extension of a travel ban exemption for an additional six months. Let me note in this connection that more information on granted travel ban exemptions can be found on the website of the Committee.

Lastly, on 29 January the Committee received the final report of the Panel of Experts, in accordance with resolution 2213 (2015). The Committee will discuss it and its recommendations in informal consultations tomorrow, 3 March. Via a letter dated 9 February, the Committee has also invited the Permanent Representative of Libya, or members of his delegation, to read the report in the offices of the Secretariat after the discussion in the Committee.

The President: I thank Ambassador Ibrahim for his briefing.

I now give the floor to the representative of Libya.

Mr. Dabbashi (Libya) (*spoke in Arabic*): I am pleased to be able to congratulate you, Mr. President, on your assumption of the presidency of the Security Council for this month. I thank Mr. Martin Kobler, the Special Representative of the Secretary-General, for his important briefing. I commend him for his determination to bring the positions of the various Libyan parties closer with the aim of speeding up implementation of the Libyan Political Agreement, signed on 17 December. I would also like to thank Ambassador Ramlan Bin Ibrahim for his presentation of the report of the Committee established pursuant to resolution 1970 (2011).

Libyans have welcomed the signing of the Political Agreement, which they see as auguring well, and which has been endorsed by the House of Representatives. While we have been hoping to see the establishment of a Government of National Accord, there are spoilers who have continued to use tactics designed to derail every attempt to form such a Government, both within and outside the House of Representatives. No one can deny the fact that Libyans and the House of Representatives are positive that there is a clear majority in the House in support of the formation of a Government of National Accord under the Prime Minister-designate, Fayiz Al-Sarraj. If the House had been permitted to vote on it, the Government would now be able to carry out its functions. I hope those members of the House will reconsider their position and that the Security Council will not fail to sanction those who have stood in the way of implementation of the Political Agreement.

Unfortunately, there are Libyans who believe it is in their interest to prevent the formation of a Government of National Accord and to foment problems and discord among the country's institutions. Some think they can control and lead Libyans through the use of force. Others are trying to use the Libyan army's successes to prevent the formation of a Government, with no thought for the suffering of Libyans both inside and outside the country or the threats that surround it.

Libyans have once again shown that nothing can divide them when they know that their country is under siege. We have recently seen young patriots coming from every city to surround the city of Sabratha in western Libya in order to fight Da'esh together and to try to drive its soldiers out. They have forgotten all their previous political differences and some of them have died as martyrs alongside the residents of Sabratha in a decisive battle aimed at purging the area of terrorism. They have achieved a great deal despite the obstacles placed in their way by the local leaders, who are under the thumb of the Libyan Islamic Fighting Group. I commend all the patriotic residents of the towns of Zawiyah, Serman, Ojailat, Jamil and other areas who have responded to their country's call in the absence of any support from the Government of the extremist militias in Tripoli, which instead of fighting terrorism has been aiding Da'esh and its wounded by using

members of the Libyan Islamic Fighting Group, and has hastened to declare the city liberated from Da'esh in order to cover for Da'esh leaders who are still trying to escape, and some of whom are hiding in the capital of Tripoli.

The clashes with Da'esh in the western region of the country have shown that the militia authorities in Tripoli, which claim to constitute a Government of security, do not possess an army, and that they actually provide the basis for terrorism, since they cannot combat it. We have seen that the only regular army in Libya is made up of those units fighting terrorism in Benghazi, who have been able to liberate Ajdabiya, are working to liberate Derna and are in the Jabal Al-Gharbi region preparing to carry out orders if the vote in the body politic is blocked or if the militias prevent the Government of national accord from working in Tripoli.

I would like to take this opportunity to commend the Libyan army and the forces supporting it on its success in Benghazi, which for the first time in two years has enabled families that had to flee to return to their homes. It is time that the Government, with the help of the international community, put together a comprehensive plan for the reconstruction of Benghazi.

Some Libyans are opposed to the army's leadership, while others insist that they should not be interfered with, which shows clearly that all Libyans recognize that the army exists. It is therefore incumbent upon the international community to help the army to develop on a professional basis that aligns with international standards, as well as to furnish it with the equipment it needs to fight terrorism and protect the State's borders. There can be no question that establishing a programme aimed at reintegrating into the army all soldiers who have committed no crimes or human-rights violations and those fighters who wish to join the army should be the Government of National Accord's top priority and the main goal for international assistance. In that regard, I should warn against any efforts to strengthen the capacity of the militias on the pretext of helping to prepare them to fight Da'esh in Sirte. That can only have the effect of complicating the Libyan crisis even more, particularly in view of the fact that since the fight began we have seen the militias retreat from Sirte and put it back in the hands of Da'esh.

It will be difficult to unite Libyans in the effort to fight and eliminate terrorism in the country if we continue to ignore the fact that elements of the Libyan Islamic Fighting Group and the Muslim Brotherhood in Libya are supporting and protecting Da'esh. They are allies of the Islamic State and have provided them with weapons and financing. They have made it possible for them to control Sirte and Derna and some areas of Benghazi. They have also made it possible to establish pockets of control in other Libyan cities.

Therefore, the time has come to ask those who use religion as a slogan to say something we have never heard from them before, namely, the condemnation of Da'esh and Ansar Al-Sharia. They must declare that they are not linked to the ideology of Al-Qaida or Da'esh, or at least that they have rejected it. They must accept what Libyans agree upon with regard to the sponsorship of the United Nations and accept the national State and respect the institutions and symbols of democracy, the rule of law and equality among all Libyans. They must demonstrate this in fact so that Libyans can believe them, trust them, vote for them and integrate them in the conduct of the affairs of the State. Otherwise, Libyans will remain suspicious of those two organizations.

No force will be able to impose its authority on the Libyan people. Over the past four years, terrorist organizations have controlled the levers of the State. Unfortunately, they are sowing division among Libyans and encouraging them to kill each other. They do so by using two television channels — Al Nabaa and Tanasoh — to disseminate propaganda. If the international community is serious about resolving the Libyan crisis, it must prevent the broadcasting of those two television channels and punish those responsible. It is worth noting that the Tanasoh channel is broadcasted from the United Kingdom and that its owner holds British nationality, while one of its main officials is a Canadian mufti of Libyan origin.

During the 11 February meeting on sanctions (see S/PV.7620), I referred to the losses suffered by Libya because the Board of the Libyan Investment Authority was unable to manage the country's investments. We have been in consultations with members of the Board to determine what measures need to be adopted to prevent losses without lifting the assets freeze. We feel that Council members understand this problem and we hope that itwill lead to a draft resolution to be adopted soon by the Security Council.

Libyans aspire to a Government that unites them, manages their affairs, provides them with security

and basic services and makes it possible for them to return to their homes. Their hopes are based on the establishment of the Government of National Accord, which is working out of Tripoli. We hope that Special Representative of the Secretary-General Kobler will be able to help Lybians achieve their goals with the Council's assistance. But it is up to Libyans to set aside their political alliances and join together to confront the greatest danger, namely, terrorism and the possibility of a break-up of the State and a division of the territory.

The President: I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 12.15 p.m.